

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tomomi TATEISHI
Serial No.: 10/811,928
Filed: March 30, 2004
For: ORGANIC ELECTROLUMINESCENT DEVICE
AND ITS PRODUCTION METHOD
Art Unit: 2891
Examiner: SUCH, MATTHEW W

DECLARATION UNDER 37 CFR § 1.132

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

I, Tomomi TATEISHI, the inventor of the present application, do declare and state as follows:

I am a citizen of Japan.

I graduated from Shimane University, specializing in Chemistry in Faculty of Science in March 1991.

Sine April 1991 I have been employed by FUJI PHOTO FILM CO., LTD. and have been engaged in research in the field of dyes and other additives for photographic use and organic electroluminescence devices.

I am familiar with the Office Action dated June 13, 2008.

In order to demonstrate the unexpected superiority of the present invention over Akai, U.S. Pat. Pub. 2003/0045021 in view of Muller et al., U.S. Patent 6,432,741 and Nakaya et al., U. S. Patent 6,186,176, the following additional comparative experiments were conducted by me or under my supervision for the purpose to study the influence of the materials of the support on the transferability and laminating properties.

1. Additional Comparative Experiments

- Transfer material of Additional Comparative Example 1 was prepared in the same manner as in Example 1 except for using polyethylene terephthalate (named "T60," manufactured by Toray Industries Inc.) in place of polyether sulfone.
- Transfer material of Additional Comparative Example 2 was prepared in the same manner as in Example 1 except for using polyethylene naphthalate (named "Teonex Q63," manufactured by Teijin Limited) in place of polyether sulfone.

Each of organic EL device of Additional Comparative Examples 1 and 2 was further produced by using each transfer material, and the transferability of each light-emitting organic layer and the laminatability of each organic EL device were evaluated in the same manner as in Example 1.

The results are shown in Table A below.

Table A

| Example Nos. | Support | Transferability | Laminatability |
|------------------------|---|-----------------|----------------|
| Example 1 | Polyether Sulfone (Thickness: 118 µm) | Excellent | Excellent |
| Additional Comp. Ex. 1 | Polyethylene Terephthalate ⁽¹⁾ (Thickness: 50 µm) | Poor | Excellent |
| Additional Comp. Ex. 2 | Polyethylene Naphthalate ⁽²⁾ (Thickness: 50 µm) | Poor | Excellent |

Note: (1) "T60" available from Toray Industries Inc.

(2) "Teonex Q63" available from Teijin Limited.

3. Discussion

As is clear from Table A above, it has been revealed that the transferability of the light-emitting organic layer is excellent only when the transfer material is prepared by forming a flat layer on the surface of the first substrate and using Polyether Sulfone as the support for the transfer material.

The above futures are not suggested in the cited references, Akai, Muller and Nakaya, and, accordingly, those skilled in the art referring to these references at the time the present invention was made would not be able to expect this effect.

4. Conclusion

Therefore, the amended claim 1 of the present application is not anticipated by or obvious over Akai, Muller and Nakaya, taken alone or in any combination thereof, and accordingly, we believe that the amended claim 1 of the present application is patentable.

I declare further that all statements made herein on personal knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: December 8, 2008

Tomomi Tateishi

Tomomi TATEISHI